

The

Philanthropist.

CINCINNATI, WEDNESDAY, JUNE 9, 1811.

WHOLE NO. 260

VOLUME V.

**THE PHILANTHROPIST,**  
PUBLISHED BY THE EXECUTIVE COMMITTEE OF  
THE OHIO STATE ANTI-SLAVERY SOCIETY.  
Main st., between 4th & 5th, East side.  
CINCINNATI, OHIO.

SAMUEL A. ALLEY, Printer.

Price—TWO DOLLARS a year in advance.  
Letters on business should be directed to the Publishing Agent, WILLIAM DEARLOV—those relating to the editorial department, to the EDITOR.—In all cases post paid.

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one square of 16 lines, or less, one insertion, \$0 50  
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From the Cincinnati Daily Gazette.

**LAW OF SLAVERY IN OHIO.**

Mr. EDITOR.—Your correspondent, the Author of "Federalism" in Saurier's paper, is much aggrieved at the recent (supposed) decisions in this State in his suit against the slaveholders, and is considerably furor, and shows that he intends to hold both the bench and the bar, (if not in the fact the community at large,) and severally, as we lawyers say—responsible for them. The outrage he considers enormous in the language of the Louisville Journal it is "fugitives."

We propose to examine briefly his position—how they stand in the law, and in the light of reason, and in the light of that of authority. The question is one of high constitutional interest. It concerns the highest of rights, also the highest of duties, viz those of one member of the confederacy to another; and it embraces in the scope of its application the wide wide limit of the Confederacy. It should be examined with candor; and decided by the light of truth, of impartial justice, of unbiased reason;

"The cardinal error of your correspondent it strikes me is that he considers that the rights of property are the only, or at least the paramount ones secured by the Federal Constitution, and hence that where a slave—property in Kentucky—a freeman and incapable of being a slave in Ohio, not by his own fault, but by the consequent uprooting of his root from his native soil, the great law of personal freedom on which *prima facie* attaches to every human being should be made to yield to the local provisions of Kentucky in favor of slavery and the rights of property. This we do not consider as tenable ground. The law of Ohio (we instance here) which secures to the slaves their freedom, does not recognize in its borders the existence of slavery. As a member of the Union she is bound to deliver up fugitives—from justice and fugitives from service. With that single exception the law of slavery is unknown to us. With that exception every man in the State is a free man. He is no more liable to be sold into slavery than the rest of the country which would suffice for us, but the Ordinance of '37 guarantees it, and provides the possibility of its being otherwise. It declares that in the territory north-west of the Ohio "slavery or involuntary servitude shall not exist except as a punishment for crimes."

A slave then finds himself in Ohio—lawfully and properly there. He is in the possession of the owner of his master. He claims that he is a freeman—that within this jurisdiction there is no power to make him a slave. What plea can be set up to it? He presents himself before the tribunal and declares that he is a man—in the language of Terence Homo sum. Has the ingenuity of your learned Correspondent any thing to suggest against it? And the article of his paper which I have just quoted, of English and American law in the free States, and of the direct guarantee of the Ordinance, declares that he is so?—Whereas your correspondent boils over with indignation, and in his exuberant wrath denounces the bench as a humbug, and the bar as a set of rascally perfidies. All of this probably like Mardonius' fears, "pour l'an." How could the Court do this? But he followed the current of decisions—decisions in States where no such provisions as that of the Ordinance existed, and with the Ordinance staring it in the face what can a Court do? That declares that involuntary servitude shall not exist here. Shall they decide that it may? It matters not as to time. If it may for an hour, it may for a lifetime. If it may for an instant it may for a while.

But your Correspondent argues that the Court in Ohio is bound to deliver the slave up in such a case on certain other grounds:

Because the Constitution of the Union recognizes the right of property in slaves; because the Constitution provides that the "citizens of each State shall be entitled to a full and equal protection in the enjoyment of their rights;—but there is no reason why a citizen of Kentucky travelling with his "body servant" through Ohio should be any more liable to forfeit him on that account, than the citizen of Ohio travelling through Kentucky with his horse to forfeit; and lastly in that the Constitution declares that private property shall not be taken for public use without compensation.

To this I could say that the question is not of forfeiture or not; there is no forfeiture in the case. No one claims any interest in the slave, or divest to his own behalf the slave owner of his rights. The question itself is one of ownership—a question of property—a question between the slave for his freedom and the master for his servitude; and when litigated the forum of the principles of the law decides the case is to that of life and vegetation. Consequently; whatever tends to injure these classes press upon the vitalities of the nation. All classes in community are fed and clothed by the hand of the laborer. They eat up the food of the poor and nakedness—this condition will prevail over the land. It is obvious then that the interest of these classes is the fundamental and important interest of every nation. Other classes of society have their utility. The professions and mercantile classes are subservient to the laboring classes, as are fact but laborers in different departments, and their interest in the welfare of society should be the primary policy in the government of every nation. All laws and institutions bearing impiously upon the laboring party of society should be abolished, because necessarily impious to the whole population.

And in the United States it is in the power of the free laboring classes, by the proper exercise of the right of suffrage, to abolish all laws and institutions bearing injuriously upon the

working part of the nation, and it is their duty as well their interest to use their rightful power for such purposes. In securing their own interests in this respect, they will secure the best interests of the nation at large. And to them an appeal is now made to the institution of slavery, which has been most injuriously to the free laboring classes of society, and that of course, is against the best interests of the nation as a whole.

As to the illustration adduced, there is this very material difference between the privilege of the slave and his power not to extend to a horse. We have, it is said, a case from a distinguished authority known as the 1st Ayres and Brown where it was brought for a dog; but I am not aware that any Court has yet gone the length of deciding that it would lie for a horse.

It only remains to examine if under provisions of law, embargoes, &c. for if the owner of a slave, with his power not to extend to a horse, is a case from a distinguished authority known as the 1st Ayres and Brown where it was brought for a dog; but I am not aware that any Court has yet gone the length of deciding that it would lie for a horse.

Slavery associates labor with the degraded slave, and this association becomes so permanently fixed in the mind, and so entirely woven with the social fabric, that it is difficult to disentangle the free laborer that he is viewed as a slave.

The citizens of each State shall be entitled to all privileges and immunities of the several States.—In other words the citizens of Kentucky are entitled in Ohio to the privileges of all classes of society.

Ohio. Clay says—

"I have no objection to amend—seven to one."

But your correspondent goes further, and contends that the right of property in slaves is recognized and guaranteed explicitly in the Federal Constitution. This is strong doctrine. Will it bear the test?

The Constitution, it is well known, was framed as a matter of compromise. "There was a spirit of conciliation, and a desire to secure the adoption of the Constitution, and to effect a union of the States, which was not to be repelled. To do this, it was necessary to recognize as a right, that which the slaveholder himself, of those times hardly pretended to, and which he regretted exist with him as deeply as others. It was only necessary to recognize it as an actual state of things, existing with a multitude of evasions of it, which the provision as to the escape of fugitives done—the Constitution simply guaranteed the *status quo*. Further it did not go, and your correspondent will find it very difficult I suppose to show that it did.

What say the framers themselves, in reference to this matter? In the debate upon the Constitution, Mr. Sherman said, (Madison papers, debate of August 25.) "that he was opposed to the proposal acknowledging me to be property by taxing them as such, and in the hearings before the committee on the逃亡 slaves, he said that they should not be given up to the slaveholders."

Mr. Madison "thought it wrong to admit slaves into the Union."

He was a wealthy slaveholder of Kentucky calls white negroes "white negroes."

The following are given as his remarks in the Senate of Kentucky.

"Gentlemen wished to drive out the black population that they might obtain white negroes in their place. How incorrect has been their contention. They had a

desire to make with their slaves a living log cabin—

Democrat stood here, but they have

despaired to do it, and more permitted to

the slaves, to the table, or to mingle with respectable

company than if a slave! And why? Because labor is associated with the degraded state of the slave. She, in their estimation, is occupying the place of the slave. Many would think it a deep disgrace to walk the streets with a hired girl, although her master were even more degraded than she. They are the free laboring classes. Senator Wickliffe a wealthy slaveholder of Kentucky calls

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himself being the chief corner stone. Supposing such a one to doubt whether John Wesley (foundation or not) of the Methodist church themselves being judges, or say other uninspired men since the days of the Apostles had any right whatever to dictate rules in discipline, discipline, or practice to assemblies of people, the church of God—and besides believing that all that was regulated by the commandments of men it was. Mat. 15, 9, should besides on account of the horrid practice of slavery including all its abominations followed by that church, in obedience to the inland injunction see it his duty to turn away. 3 Tim. 3, 15, not from that church, but from every set of pretended Christians who practice or connive at such wickedness.

In "Bonne's Picture of Slavery," page 153 it is said during nearly fifty years, have the Methodists solemnly told the world in their book of discipline that every slave-driver is "in the gall of bitterness, and the bond of iniquity," that as long as he holds slaves, he can give no evidence of a consistent Christian profession; and nevertheless, almost all their local preachers, stewards, class leaders and members, besides many of their travelling ministers from Baltimore to the Gulf of Mexico, are men-stealers, and in Georgia they are not only slave-takers, but they also blasphemously attempt to justify their nefarious hypocrisy by the holy scriptures—*Q. H. Purdy, Pres.*

Examine a Presbyterian ecclesiastical meeting at Richmond or Rleigh, a presbytery or a synod, and what will you behold? The moderator and clerks, ministers, obdurate men-stealers, resisting the truth, and *denying* their own solemnly attested exposition of the eighth commandment.

Page 151—After a Baptist association about the country, which included the assemblies but no ecclesiastical authority, who are present? The chairman, the clerks, the messengers, except northern delegates, are all hardened men-stealers. Most probably, not one is named on the roll who does not drive, scourge, and starve those defenceless sons of anguish! And it is well known that the adherents of the church of Rome, on both sides of the Atlantic, do not intend to interfere with the practice of Natchez down.

Taking all this together Mr. Editor, I conclude that all these churches so called are unrighteous—and as turning away from unrighteous professors, is a command of God, none who reverence divine authority will hesitate.

There are only two great heresies, so known in the world, which we are neither Papists nor Presbyterians, Baptists, nor Methodists—but believers and unbelievers, the righteous and the wicked, the godly and ungodly, the wise man and the fool, children of God and children of the wicked one. They are preparing for very different issues beyond the grave, "and it seems to be the will of God that a marked separation should take place between them in this world." 2 Cor. 6, 14, 15. Let us then, as far as possible, to these together in all ages. The former, if possible, so darken the light of Israel, the latter to obtain popularity with worldly advantages; this separation partially began here shall be completed at the resurrection. John 28, 29.

Moderne sects are frequently uniting, especially the gentlemen of the pulpit, on the number of their converts. Jesus Christ says, Mat. 7, 14, "Strait is the gate, narrow is the way that leads unto life and few there be that find it." It may be left to the decision of every discerning person who has seen much of the world in our age to acknowledge how very few are to be found any where, who appear to have any reverence for, or love to the God of creation, or for the law of God. To distinguish the true and false from sin to God are very different things. It will admit of much doubt whether the subjects of modern revivals have any relation to the son of God. The small assemblies or churches of God once planted and nurtured by the Apostles, whose examples it is the highest privilege and the imperious duty of every believer to follow. Cor. 1, 12, 17, 18, 21, 24, 26. Few, if any, of these are left, though once disbelieved they had from time to time, another, poor, spiritless mortals their teachers chosen according to apostolic direction for their age and experience; as example to the flock, of faith, love, patience, guilelessness, pretending not to any superior title, it was not the Revend Dr. Campbell, who said, "We are as good as any other people." But the old Apol. 1, 12, 13, 14, 15, belongs to the great Greek fathers, and even their Apol. were, Paul the aged Peter the elder—plain Timotheus & Titus; we do not find these leaving their hearers for money at almost every meeting. Paul's address to the Ephesian elders, seems to take a very different view of such things. Actos 20, 23, aspiring not after popularity on earth, submissive under the Cross they expected exaltation and safety beyond the grave.

No chimney joins a church composed in part of ignorant, garrulous, and knowing it to be so, 1 Cor. 5, 8, 11, if he should be may expect much unhappiness. A Christian preacher has a sufficient share of sufferings in his best condition—but if united with the ungodly either in a church or indeed in almost any other capacity he will find them much increased; 2 Chron. 19, 12, 13, few, if any, of these are left, though once disbelieved they had from time to time, another, poor, spiritless mortals their teachers chosen according to apostolic direction for their age and experience; as example to the flock, of faith, love, patience, guilelessness, pretending not to any superior title, it was not the Revend Dr. Campbell, who said, "We are as good as any other people." But the old Apol. 1, 12, 13, 14, 15, belongs to the great Greek fathers, and even their Apol. were, Paul the aged Peter the elder—plain Timotheus & Titus; we do not find these leaving their hearers for money at almost every meeting. Paul's address to the Ephesian elders, seems to take a very different view of such things. Actos 20, 23, aspiring not after popularity on earth, submissive under the Cross they expected exaltation and safety beyond the grave.

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The same anholly passions which slaveholding professors now show, they showed to Jesus Christ; pride, covetousness, a bloody persecuting spirit, highly offended because he told them the truth, and reproved them for their wickedness. The accusations given now, about their friends are really the same as before, though the gentiles still kindly resemble those alluded to. To conclude we have not abundant reasons to conclude from the authority of God, that every set of professors whether catholic or protestant which is engaged in the horrid practice of slavery is to be viewed as not one of the church of God. As the Jews were in the days of Christ, so were told unto them, John 8, 41, that was their father. How long have men told them that they had a very different tale, in the 44th verse he says—

"Year of your father the Devil?" The same anholly passions which slaveholding professors now show, they showed to Jesus Christ; pride, covetousness, a bloody persecuting spirit, highly offended because he told them the truth, and reproved them for their wickedness. The accusations given now, about their friends are really the same as before, though the gentiles still kindly resemble those alluded to. To conclude we have not abundant reasons to conclude from the authority of God, that every set of professors whether catholic or protestant which is engaged in the horrid practice of slavery is to be viewed as not one of the church of God. As the Jews were in the days of Christ, so were told unto them, John 8, 41, that was their father. How long have men told them that they had a very different tale, in the 44th verse he says—

"I cannot acknowledge the propriety of statements, which I know to be exaggerated. Slavery is wicked enough, without adding all the rest, but we have enough to gain by representing every slaveholder as guilty of gratuitous cruelty."—E. Paul.

We are not about to controvert with the writer—  
at his assumptions are manifestly too sweeping, some times.—E. Paul.

are calculated by the records for the year, from the 4th of March, at 12,000,000, the receipts for the public funds for the same time are estimated at \$2,500,000, and non-missionary sources at one hundred and seven thousand dollars, making an aggregate of available funds a sumable deficit of \$11,400,132 98, which will leave a permanent provision is necessary, until the amount can be increased to a sum of one hundred thousand dollars.

There will fall due within the next three months interest, \$2,950,000. There is chargeable in the same period for supplies for the year ending the sixth census \$294,000, and the estimated expense of the service of vice are about \$8,141, amounting to \$31,955,000, making a receipt from all sources of \$3,820,000, making the aggregate due of \$45,450,000, leaving a probable debt of \$40,529,000.

In order to supply the wants of the government, an intelligent constituency, in view of their best interests, would be ready to contribute with the adoption of such system as you may propose, reserving to myself the ultimate power to make the final arrangements.

He has paid the great debt of nation, leaving behind him a name associated with the recollection of numerous acts of distinguished conduct during a long period of time, connected other considerations which will not escape the attention of Congress. The preparations for his removal to the seat of government have been made, and the result of our votes, as far as possible, to be found in a great extent a solution of the problem, which our institutions are for the first time subjected.

In entering upon the duties of this office, I did not feel it would be safe to go into detail, as to the manner in which I intended to act. What, therefore, may have been my opinion, originally as to the propriety of convening Congress so early day from that of its late adjournment, I leave to the judgment of the representatives of the State, and of the people of the nation, to determine.

The cause of a nation of free men, and the principles of the late President, in the novelty of the situation was so unexpectedly placed, My first

object was to call in aid, the administration of public affairs, the combined wisdom of the two Houses of Congress, in order to take their counsel and advice as to the most expedient course to be pursued.

By the principles of the fundamental

laws of the land, the power of the president to call into the service of the army, and the navy, is limited to a sumable period of three months, unless Congress shall declare otherwise. The act of Gen. Harrison, which terminated in the election of Gen. Jackson as President, was decided on principles well known, and clearly declared, while the country was in a state of alarm, and the public mind was agitated, yet no other expense of finance seemed to have been incurred in. To you, then, who have come most directly from the body of our constituents, and understand the entire situation, as far as qualifed to give full exposition of their views and opinions, I will be ready to concur with you in the adoption of such system as you may propose, reserving to myself the ultimate power to make the final arrangements.

The ways and means in the Treasury, and estimated to accrue within the above named period, consists of a balance of \$60,000,000 of funds available on the 25th ultimo; and the estimated expense of the service of vice are about \$8,141, amounting to \$31,955,000, making a receipt from all sources of \$3,820,000, making the aggregate due of \$45,450,000, leaving a probable debt of \$40,529,000.

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try, nestness had economy, and instilling into their minds correct moral principles.

The society then adjourned, to meet at such time and place as the Executive Committee might deem proper.

S. B. GARRARD, Pres.

L. S. PRALL,

E. A. JENNINGS, Sec.

#### TREASURERS' ANNUAL REPORT.

Ohio Ladies' Society for the education of Free People of color in account with Sarah B. Eunis for the sum of \$100, remitted May 23rd 1849, and ending June 2nd 1849.

##### Disbursements.

Paul Agent old debt	\$1261
S. Carver, Teacher Chillicothe,	7.23
Miss Colborn,	27.09
Miss A. Hall, Lancaster,	8.00
E.S. Grumly, Darke County,	4.00
Expense of conveying Teachers to their Schools,	9.81
Mr. Peter Shelly Co.,	11.00
Teachers at Hillsborough, Paid to four Teachers,	5.00
Agent's Expenses,	26.81
For printing Documents,	4.00
To Agent,	51.60
Miss Fisher,	10.00
Mr. Dearlove, per Agent's order,	28.42
Discount on incurrent money,	5.50
Postage on letters,	6.00
Smith Nichols, Shelly Co.	3.00
To Davis Day, Teacher in Logan Co.	3.00
To Teacher's expenses to Hamilton,	1.50
To Teacher to Chillicothe,	3.46
Postage.	
Receipts—	
Balance against the Society,	\$216
Receipts.	
Received by A. Barber at Massillon,	65.24
From C. Avery, Rockwood N. Y. by A. Barber,	13.00
James H. Wright, Oliphant by A. Barber,	1.00
Mrs. Julia Burn, Haverhill by A. Barber,	2.00
Ladies B. Society, by do.	8.80
Children of Maternal association, by do.	65
Ociutia Ladies Society, by do.	16.19
Mrs. John Mergen, on Pledge at Oberlin by do.	5.00
For Report sold,	2.27
One cent valued at,	1.00
Miss Donaldson on pledge,	4.00
From Mrs. Donaldson in Palatine by Mrs. Joffie, do.	3.00
do. pr. Mrs. Blanchard,	5.00
For Report sold,	9.33
From an unknown donor in Alabama,	29.00
Thos. Donaldson on pledge,	29.00
Female Miss Society, Ladies, pr. Ida Richardson,	2.12
Womans A. S. Cincinnati,	13.75
Ladies in Cincinnati,	8.00
Cent. week Society,	5.75
From friends in Cincinnati,	9.00
Henry Isagerman, Piagah,	80
Robert Irvin do.	1.00
Contribution at Lisbon.	2.67
Andrew Combs do.	1.00
33.90	

##### Form of Memorial.

We, the memorialists, citizens of Ohio, would respectfully represent to your honorable body, that the law enacted in 1831, providing for the better regulation of common schools, in so far as it extended to colored people, was inadequate for school purposes, was impulsive until the year 1839; so that during that period, while colored persons paid their just proportion into the common school fund, their children were excluded from its benefits:

That, in the Assembly of 1838, a resolution was passed designed to correct this grievance, but which, it is believed, produced no temporary and partial relief, and was defeated by the Legislature, who made an inadequate corrective, the property of schools and malcontents still being generally taxed for school purposes, while they continue to be excluded from all common school privileges:

That, in the judgment of your memorialists the proper remedy for this evil is to repeat the exception clause of the law in question, and amend by inserting the words "white and white, while they leave the property of colored people to be taxed on the same principles as that of white people, will appropriate to the education of the children of the former so much of the proceeds of taxes on their property as has been laid for school purposes."

That as in the case of white people, it would be far better to provide to a certain extent by legislation for the education of colored people than to throw upon their own voluntary efforts:

Therefore, your memorialists, would respectfully request your honorable body, to direct the refunding of all monies which have been received from the property of colored people, for school purposes, since 1831; to repeat so much of the law of 1831, in relation to the better regulation of common schools, to exempt the property of black and mulattoes also, and to appropriate such monies received from their property for such purposes, exclusively appropriated to the education of their children in the way which the wisdom of the legislature may seem proper to direct.

And your memorialists will ever &c. &c.

#### FIRST ANNUAL REPORT

Of the Executive Committee of the Ohio Ladies' Society for the education of free people of color.

The first Anniversary of our society, calls us together for the third-fold purpose, of examining the result of our past labors, ascertaining our present position, & determining our future prospects.

Although, as a society, we have an organized existence of but one year, yet the importance of raising the colored people of our country, from their present low estate to one of piety and virtue, was early apparent to the eyes of those who men had tears for the slaves, when it was dangerous to speak to them, and who, with their whole heart enlisted on the side of freedom against tyranny, in the vigorous struggle, which is going on in our land.

Pained by constant manifestations of the civil spirit of prejudice against color—which, by a double infliction, first degrades, and then reproaches the victim with degradation, which chafes with ignorance, but contented to obtain knowledge—they entered with becoming zeal upon the work of educating and christianizing the free colored people of this state thus attempting to remove the chafing block in the way of multitudes of well meaning but considerate persons, who are afraid to do anything for the slave, because, to use a plain phrase, "the free negroes are so much the worse off." To

avail themselves of the power of combined effort, they met in numerous and resolute meetings, and expressing their determination, to do all in their power, by christian means, to accomplish its overthrow. At this meeting, a committee of ladies from different parts of the State was appointed, styled, "The Central Committee for Ohio, to whom the business of the Convention for the year was committed." The Committee, in their correspondence with individuals in various parts of the State to ascertain the wants of the people in the colored settlements; and as far as their means would permit, supplied them with faithful teachers. Many well educated females, with a self-forgetting devotion, which the lover of right would call heroic, had it at their expense to pay a price far greater than even the priest and priest, left to perish, and with little or no compensation, labored incessantly to restore in them the marred and defaced image of their Creator.

Most of those who were *pioneers*, in this work of instruction, are now, in other fields of labor—their record is high, and though unmentioned, in the fashionable circles of the earth, the good is done.

The Central Committee, annually called a convention of anti-slavery Women, throughout the state, for mutual encouragement, advice, and assistance, and each year collections, to the amount of several hundred dollars, in aid of schools, in the colored settlements, and more recently, in foreign countries, were made.

On May 1st a convention was held at Massillon, it was thought best, in order to secure more prompt and efficient action, and make our object better understood, in place of the committee to organize a society, which was accordingly done. The Executive Committee soon after appointment met in Cincinnati, and resolved to hold a regular annual meeting.

Their first meeting was held in Hillsborough, the settlement of the colored people. Most of them are poor, probably their whole property is not worth over \$1,000 dollars. They live in small houses, nearly contiguous to each other and are engaged in various trades, waiters, servants &c. by the whites. Till recently they have been left to grow in ignorance, the result of every corrupt influence. The colored people who would reach over the heads of others and exclaim, "we can get some to teach us to us." As I was about to leave, the congregation melted into tears, and as I took the parting hand they loaded me with their good wishes.

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